



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
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(213) 974-1101
<http://ceo.lacounty.gov>

"To Enrich Lives Through Effective And Caring Service"

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April 08, 2014

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:
AS-NEEDED ENVIRONMENTAL DOCUMENTATION
AND REGULATORY PERMIT CONSULTANT SUPPORT SERVICES
VARIOUS COUNTY AND CAPITAL PROJECTS
AWARD CONSULTANT SERVICES AGREEMENTS
ALL DISTRICTS
(3 VOTES)**

SUBJECT

Approval of the recommended actions will authorize award of consultant services agreements to Andersen Environmental; Aspen Environmental Group; ECORP Consulting, Inc.; and ICF Jones & Stokes, Inc., to provide as-needed environmental documentation and regulatory permit consultant support services to assist the Department of Public Works with its Capital Projects Program.

IT IS RECOMMENDED THAT THE BOARD:

1. Award and authorize the Director of Public Works, or her designee, to execute consultant services agreements with Andersen Environmental; Aspen Environmental Group; ECORP Consulting, Inc.; and ICF Jones & Stokes, Inc., each for a not to-exceed fee of \$1.25 million for an aggregate amount of \$5 million, to be financed from capital projects budgets to provide as-needed environmental documentation and regulatory permit consultant support services, each for a 3 year term plus two 1-year extension options. The expiration date of these four agreements is subject to the following condition: Where services for a given project have been authorized by the County but are not completed by the consultant prior to the stated expiration date, the expiration date will be automatically extended solely to allow for the completion of such services.

2. Delegate authority to the Director of Public Works, or her designee, to supplement the initial not-to-exceed amount of \$1.25 million for any of the above-referenced four agreements by up to 10 percent per amendment based on workload requirements. The aggregate amount of such amendments may not exceed 25 percent of the original contract amount.
3. Delegate authority to Director of Public Works, or her designee, to exercise the two 1-year extension options on the above-referenced four agreements at the discretion of the Director of Public Works, or her designee, based upon the level of satisfaction with the services provided.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will allow the Department of Public Works (Public Works) to authorize as-needed environmental consultant services for various County Capital Project Programs that require the preparation of environmental documents in accordance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), as well as securing any required regulatory permits.

The County of Los Angeles Environmental Reporting Procedures and Guidelines, adopted by the Board on November 17, 1987 requires that projects that may have a significant effect on the environment be analyzed for compliance with CEQA. Projects that are federally funded may also require analysis for compliance with NEPA. These as-needed agreements will provide an expedited and efficient means of procuring environmental consultant services for County's Capital Projects Programs.

When environmental consultant services are required for a project, a project-specific scope of work will be negotiated and authorized within the contract limitations. The expiration date of the agreements is subject to the following contract condition: Where services for a given project have been authorized by the County but are not completed by the consultant prior to the stated expiration date, the expiration date will be automatically extended solely to allow for the completion of such services. This is to ensure that there is no loss of continuity of services. In all events, however, the work authorizations will be subject to the respective not-to-exceed monetary limits applicable to said contracts.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3), by increasing our ability to handle irregular workloads in a responsive manner and provide responsive, efficient, and high quality public services.

FISCAL IMPACT/FINANCING

No direct impact to the County's General Fund is expected from this action. These agreements will be funded from appropriate project budgets and expended as the individual projects are approved by the Board.

The maximum, not-to-exceed amount of each consultant services agreement is \$1.25 million, totaling \$5 million in the aggregate for the four consultant services agreements.

Expenditures for the subject services incurred by the Public Works Internal Service Fund-Capital Project Management Program will be reimbursed through approved individual project budgets.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The agreements will contain terms and conditions supporting the Board's ordinances, policies, and program, including but not limited to: County's Greater Avenues for Independence (GAIN) and General Relief Opportunities for Work Programs (GROW) Programs, Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; and the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; Defaulted Property Tax Reduction Program, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The consultant services agreements include a cost-of-living adjustment provision in accordance with the Board policy, which was approved on January 29, 2002.

ENVIRONMENTAL DOCUMENTATION

The proposed action is not a project pursuant to CEQA because it is an activity that is excluded from the definition of a project by Section 15378(b) of the CEQA Guidelines. The proposed action, to award as-needed agreements for environmental documentation and regulatory permit consultant support services, is an administrative activity of government, which will not result in direct or indirect changes to the environment. We will return to the Board as necessary for consideration of appropriate environmental documentation pursuant to CEQA before the approval of any activities that constitute a project under CEQA.

CONTRACTING PROCESS

On June 17, 2013, Public Works issued a Request for Proposals (RFP) for as-needed environmental documentation and regulatory permit consultant support services. The RFP was posted on both the County's "Doing Business with Us" and Public Works' "Contract Opportunities" websites (Attachment).

The RFP allowed firms to compete as primes in one of three categories: small, medium, or large. Each firm was requested to certify its own size, based on its annual revenue or number of employees, and compete with other firms in the same size category. The RFP stated that a total of four firms would be awarded a contract as follows: two small-size firms (with 100 or fewer employees, or an average of \$14 million or less gross revenue over the previous three tax years); one medium-size firm (between 101 to 1,000 employees, or an average of \$14 million to \$100 million gross revenue over the previous three tax years); and one large-size firm (with 1,001 or more employees, or an average of \$100 million or more gross revenue over the previous three tax years).

On July 23, 2013, 13 firms responded to the RFP. An evaluation committee, consisting of Public Works' technical staff and Chief Executive Office's staff evaluated the proposals and conducted interviews with the top-ranked proposers as outlined in the RFP. The selected firms represent the best qualified firms from each size category to provide the required services based upon their technical expertise, proposed work plan, experience, personnel qualifications, and understanding of

the work requirements. The following firms were selected without regard to race, creed, color, or gender: small size firm category - Andersen Environmental (Andersen) and Aspen Environmental Group; medium size firm category - ECORP Consulting, Inc.; and large-size firm category - ICF Jones & Stokes, Inc.

On January 27, 2014, Public Works received a letter of protest from UltraSystems Environmental Inc. (UltraSystems), the third-ranked proposer in the small-size firm category, protesting the recommendation of award to the two highest-ranked firms in the small-size firm category.

UltraSystems contends that 1) both firms selected do not meet small business size standards (13 CFR 121.201), as identified by the U.S. Small Business Administration (SBA) or the State of California, Department of General Services (DGS); and 2) the core business of the highest-ranked firm, Andersen, is neither CEQA nor NEPA services, and its senior staff Director is not an employee of Andersen. Public Works reviewed these claims in detail, and, on February 11, 2014, notified UltraSystems of its determination that 1) there is no applicable law that requires the County to utilize the SBA or DGS standard, and these standards serve as a guideline in establishing the County's own business size enterprise categories; and 2) the RFP Section 2, Scope of Services, allows the prime consultant to provide all services through the use of either its staff or subconsultants, if necessary. After reviewing Andersen's proposal and conducting an oral interview, the evaluation committee had, in fact, concluded that Andersen meets the experience requirements set forth in the RFP and had demonstrated that its firm and/or subconsultants have the necessary experience and personnel to provide the required services.

On February 19, 2014, Public Works met with UltraSystems to discuss the assertions in the protest. After further discussion, Public Works maintained its finding that the protest was without relevant merit. Public Works advised UltraSystems of its findings and intent to proceed with its recommendation that the Board award agreements to the two highest-ranked firms, Andersen and Aspen Environmental Group, in the small-size firm category.

Public Works has evaluated and determined that the Los Angeles County Code Chapter 2.201 (Living Wage Program) does not apply to the recommended contracts.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no negative impact on current County services or projects during the performance of the recommended consultant services agreements. These consultant services agreements will provide necessary as-needed environmental documentation and regulatory permit consultant support services to support various County projects in an efficient manner, enhancing the delivery of County capital projects.

CONCLUSION

Please return one adopted copy of this Board letter to the Chief Executive Office, Facilities and Asset Management Division, and the Department of Public Works, Architectural Engineering Division.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. T. Fujioka', with a long horizontal line extending to the right.

WILLIAM T FUJIOKA

Chief Executive Officer

WTF:SHK:DJT

SW:RB:rp

Enclosures

c: Executive Office, Board of Supervisors
County Counsel
Public Works

Bid Detail Information

Bid Number : AED7739866
Bid Title : As-Needed Environmental Documentation and Regulatory Permit Consultant Support Services
Bid Type : Service
Department : Public Works
Commodity : CONSULTING SERVICES - ENVIRONMENTAL
Open Date : 6/17/2013
Closing Date : 7/16/2013 2:00 PM
Bid Amount : \$ 750,000
Bid Download : Not Available
Bid Description : The County of Los Angeles Department of Public Works is inviting proposals from qualified firms to provide as-needed environmental documentation and regulatory permit consultant support services for various projects located within Los Angeles County, California.

A copy of the RFP may be obtained from the website at
http://dpw.lacounty.gov/general/contracts/opportunities/aed_rfp/ProjectDetail.aspx?project_id=AED7739866. Questions regarding this project should be directed to the contact person listed below.
Contact Name : Erayna Chang
Contact Phone# : (626) 300-2325
Contact Email : EQCHANG@dpw.lacounty.gov
Last Changed On : 6/17/2013 12:05:16 PM

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[Doing Business with DPW](#) > Project Summary

PROJECT SUMMARY

Project ID: AED7739866
Project Name: As-Needed Environmental Documentation and Regulatory Permit Consultant Support Services
Scope of Services: Provide as-needed environmental documentation and regulatory permit consultant support services for various projects located within Los Angeles County, California.
RFP Issue Date: 6/17/2013
Proposal Due Date: 07/16/2013 02:00 PM
Contact Person: **Name:** Erayna-Qian Chang
Phone: 626-300-2325
Email: [Click Here](#)
Estimate: \$750,000

Documents

| Document | Description |
|---------------------------------------|-------------|
| Request for Proposals | RFP |

